

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION**

GREGORY GIBBS, TATONYA  
HUGGINS, LINDA BURNS and  
ANDREA HELM, on behalf of  
himself and those similarly  
situated

Plaintiffs,

v.

Case No: 2:18-cv-434-FtM-38MRM

MLK EXPRESS SERVICES,  
LLC, AMAZON LOGISTICS,  
INC., AMAZON.COM  
SERVICES, INC., MANIHONG  
M. PHANOUVONG, LILA V.  
PHANOUVONG,  
AMAZON.COM, INC. and AG  
PLUS EXPRESS, LLC,

Defendants.

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**ORDER**<sup>1</sup>

Before the Court are the parties' responses ([Docs. 212; 213; 214](#)) to the Court's Order to Show Cause ([Doc. 211](#)). The Court's Order was in response to Defendants Manihong and Lila Phanouvong's Notice of Suggestion of Pending Bankruptcy and Automatic Stay of Proceedings ([Doc. 210](#)). Due to a

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<sup>1</sup> Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.


bankruptcy filing, the Phanouvong's suggest the automatic stay applies to them only. *See* [11 U.S.C. § 362\(a\)](#). No party opposes that currently. And the parties all agree that this case should proceed as to the other nondebtor Defendants. Thus, apart from recognizing the automatic stay as to the Phanouvong's only, the Court will take no further action at this time. While Plaintiffs might seek relief from the automatic stay or discovery from the Phanouvong's in the future, the Court will handle those matters as they arise.

Accordingly, it is now

**ORDERED:**

This case is **STAYED as to the Phanouvong's only**. The case is ongoing as to all other Defendants. The Phanouvong's must notify the Court, in writing, **within seven (7) days** of the bankruptcy proceedings concluding.

**DONE and ORDERED** in Fort Myers, Florida on January 12, 2021.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

Copies: All Parties of Record